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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/834,222	04/12/2001	Marie Bern	15292.8	3364

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EXAMINER

FERGUSON, KEITH

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/834,222

Applicant(s)

BERN ET AL.

Examiner

Keith T. Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-18 is/are allowed.
- 6) ☒ Claim(s) 19-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in 09/834,222 on April 12, 2001. It is noted, however, that applicant has not filed a certified copy of the priority applications, Sweden 0002434-9 06/28/2000 and Sweden 0001455-5 04/19/2000 as required by 35 U.S.C. 119(b).

Claim Objections

2. Claims 19-22 are objected to because of the following informalities: Regarding claim 19, line 10, the phrase "the unique identifier" should recite "a unique identifier". Regarding claim 21, line 13, the phrase "the unique identifier" should recite "a unique identifier". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the

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invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Cloutier et al..

The claimed invention reads on Cloutier et al. as follows:
Regarding claims 19 and 20, Cloutier et al. discloses a method in a mobile communication station for utilizing mobile e-mail services provided by a mail server site (fig. 2), the services being provided via a digital radio communication network (fig. 1 number 130) and by means of a server host operating in accordance with a POP3 or a IMAP4-like protocol (paragraph 0025 lines 1-13), wherein the method comprises: receiving a message via a message service provided by the digital radio communication network (paragraph 0026 lines 7-14); extracting a job identifier (header) from the received message (paragraph 0026 lines 7-15 and paragraph 0032 lines 1-9); and accessing at least part of an e-mail stored at the mail server site by transmitting a client host command (POP3 command) to the server host (remote message server 110) (paragraph 0026 lines 7-11), in which command the job identifier (header) is used as the unique identifier (signature

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code) for the e-mail which is to be accessed (paragraph 0026 lines 7-20 and paragraph 0032 lines 1-20).

Regarding claims 21 and 22, Cloutier et al. discloses a program storage device storing computer-executable components which when executed causes the mobile communication station to make use of mobile e-mail services provided by a mail server site (fig. 1 number 110), the services being provided via a digital radio communication network (fig. 1 number 130) and by means of a server host operating in accordance with a POP3- or a IMAP4-like protocol (paragraph 0026), the computer-executable components including: a first component (fig. 1 number 110) for receiving a message via a message service provided by the digital radio communication network (paragraph 0020 lines 8-12) and for extracting a job identifier (header) from the received message (paragraph 0032 lines 1-8); and a second component implementing a POP3- or IMAP4-like client host (messaging system server) (paragraph 0026), which component is arranged to access at least part of an e-mail stored at the mail server site by transmitting a client host command (pop3 command) to the server host (paragraph 0026), in which command the job identifier is used as the unique identifier for the e-mail which is to be accessed (paragraph 0026 lines 7-20 and paragraph 0032 lines 1-20).

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Allowable Subject Matter

5. Claims 1-18 is allowed.

6. The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 1, the prior art of record fails to teach or suggest, alone or in combination a method at a mail server site, the mail server site being operatively connected to a digital radio communication network and arranged to provide mobile e-mail services to mobile communication stations by means of a server host operating in accordance with POP3- or IMAP4-like protocols, wherein the method comprises: allocating, in an SMTP server, a job identifier to a received e-mail; storing said job identifier and said received e-mail in a database at a position associated with a client host to which said received e-mail was addressed; treating, in said server host, said job identifier as the unique identifier for said received e-mail when communicating with said client host in accordance with the POP3- or the IMAP4-like protocol; and transmitting a notification to a mobile communication station defined by a mobile subscription number which is associated with said client host in said database, the notification indicating that said e-mail has been received and including at least said job identifier.

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Regarding claim 7, the prior art of record fails to teach or suggest, alone or in combination a computer-readable medium comprising computer-executable components for causing a mail server site, which is operatively connected to a digital radio communication network, to provide mobile e-mail services to mobile communication stations by means of a server host operating in accordance with POP3- or IMAP4-like protocols, the computer-executable components including: a component for allocating a job identifier to a received e-mail; a component for storing said job identifier and said received e-mail in a database at a position associated with a client host to which said received e-mail was addressed; a component implementing a POP3- or IMAP4-like server host, which server host uses said job identifier as the unique identifier for said received e-mail when communicating with said client host in accordance with the POP3- or the IMAP4-like protocol; and a component for initiating transmission of a notification including at least said job identifier to a mobile communication station, which mobile communication station is defined by a mobile subscription number being associated with said client host in said database, in order to indicate to said mobile communication station that said e-mail has been received by the mail server site.

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Regarding claim 13, the prior art of record fails to teach or suggest, alone or in combination a mail server site operatively connected to a digital radio communication network and arranged to provide mobile e-mail services to mobile communication stations, the mail server site comprising: an SMTP server arranged to allocate a job identifier to a received e-mail and to store the job identifier and the received e-mail in a database at a position associated with a client host to which the received e-mail was addressed; a server host arranged to operate in accordance with a POP3- or a IMAP4-like protocol, which server host is configured to use said job identifier as the unique identifier for said received e-mail when communicating with said client host; and means for indicating to a mobile communication station that said e-mail has been received by the SMTP server by transmitting a notification including at least said job identifier to the mobile communication station, which mobile communication station is defined by a mobile subscription number being associated with said client host in said database.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. L'Heureux et al. discloses a method for remotely managing a remote device using

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an electronic mail message. Mertama et al. method and apparatus for processing electronic mail.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson
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May 12, 2004